

1. I am a member the firm of Edwards Angell Palmer & Dodge LLP, attorneys for defendant American General Life Insurance Company ("American General") and I am fully familiar with this proceeding as well as the specific matters set forth herein. I make this declaration in support of American General's motion to dismiss.
2. Attached as Exhibit A is a true and correct copy of plaintiff's application for an American General Life Insurance policy dated April 4, 2008.

3. Attached as Exhibit B is a true and correct copy an American General's agent report dated April 4, 2008.

4. Attached as Exhibit C is a true and correct copy of a plaintiff's completed financial questionnaire dated May 7, 2008.

5. Attached as Exhibit D is a true and correct copy of an inspection report completed by ExamOne dated May 14, 2008 .

6. Attached as Exhibit E is a true and correct copy of American General's complaint filed on May 21, 2010 in the Superior Court of New Jersey, Ocean County, Docket No. L-1954-10 (the "New Jersey Action").

7. Attached as Exhibit F is a true and correct copy of American General's affidavit of service dated July 6, 2010 in connection with the New Jersey Action.

8. Attached as Exhibit G is a true and correct copy of American General's affidavit of service dated November 3, 2010 in connection with the New Jersey Action.

9. Attached as Exhibit H are true and correct copies of American General's Request for Entry of Default as to Israel Biller and Chaim Fink filed in the New Jersey Action on December 17, 2010 and subsequently entered by the New Jersey Superior Court on December 20, 2010 (per the stamped notation).

10. Attached as Exhibit I is a true and correct copy of American General's Motion to Restore the Complaint against the C. Fink Family Trust filed in the New Jersey Action on December 21, 2010.

11. Attached as Exhibit J is a true and correct copy of an Order entered by the Honorable Joseph L. Foster, J.S.C. on January 7, 2011 in the New Jersey Action granting American General's Motion to Restore the Complaint against the C. Fink Family Trust.

12. Attached as Exhibit K is a true and correct copy of American General's affidavit of service dated August 31, 2010 in connection with the New Jersey Action.

13. Attached as Exhibit L is a true and correct copy of American General's letter to Zalmen Landau dated August 17, 2010.

14. Attached as Exhibit M is a true and correct copy of a letter dated September 2, 2010 that American General received from counsel for Solomon Landau.

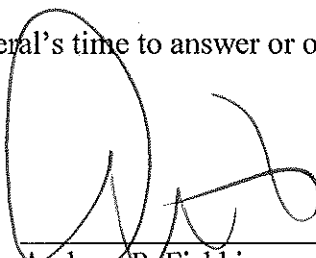
15. Attached as Exhibit N is a true and correct copy of American General's affidavit of service dated November 3, 2010 in connection with the New Jersey Action (for service attempted on October 25, 2010).

16. Attached as Exhibit O is a true and correct copy of plaintiff's Summons and Complaint filed in the Supreme Court of the State of New York on November 2, 2010 (index no. 114460/10).

17. Attached as Exhibit P is a true and correct copy of American General's Notice of Removal filed in this Court on December 9, 2010.

18. Attached as Exhibit Q is a true and correct copy of a Stipulation and Order dated January 10, 2010 extending American General's time to answer or otherwise move in this action.

Dated: New York, New York  
February 10, 2011



Andrew P. Fishkin  
Steven M. Lucks  
EDWARDS ANGELL PALMER & DODGE LLP  
750 Lexington Avenue  
New York, New York 10022  
212.308.4411  
afishkin@eapdlaw.com  
slucks@eapdlaw.com  
Attorneys for Defendant  
*American General Life Insurance Company*